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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,362	09/19/2003	John Reddel		8174

26387 7590 03/24/2005

ROTH & GOLDMAN, P.A.  
523 W. 6TH STREET  
SUITE 707  
LOS ANGELES, CA 90014

EXAMINER

MARSH, STEVEN M

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/666,362

**Applicant(s)**

REDDEL, JOHN

**Examiner**

Steven M Marsh

**Art Unit**

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is the first office action for U.S. Application 10/666,362 for a Hanger and System for Suspending Articles Such as Greeting Cards filed by John Reddell on September 19, 2003.

#### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 40. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant claims that the block is rectangular. However, the block has more than four sides and therefore cannot be rectangular. The claims is being examined to the best extent possible.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 7-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,641,093 B2 to Coudrais in view of U.S. Patent 5,718,341 to Robertson. Coudrais discloses a hanger comprising a block (4) that has an elongated recess (portion receiving 2 in fig. 1) in the block that receives a string (2). There are a pair of space apart legs (5) that define a gate between the legs that opens to the recess, the gate having a narrowest width less than a maximum cross sectional width of the recess (the gap between the legs is less than the upper holding portion that surrounds the top of the line). The gate also has a maximum width greater than the maximum cross sectional width of the recess (the bottom gap between the legs is greater than the upper holding portion that surrounds the line) and the recess has internal projections (the top of the legs and the edge portions of the upper line holding portion) for engaging

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the string. The legs taper inwardly from opposite sides of the block to the recess and the block is made of a resilient plastic (see col. 2, lines 17-19). The block is generally rectangular and the recess has a cross section configured to receive a suspender with a circular cross section.

Coudrais does not disclose adhesive adhered to a side of the block or a removable cover over the adhesive. Robertson discloses an arrangement that utilizes a clip that has a sticker (cover and adhesive) for identification purposes. It would have been obvious to one of ordinary skill in the art at the time of the present invention to have utilized a sticker on the clip taught by Coudrais, as taught by Robertson, for the purpose of identifying a trademark or the name of a manufacturer. Coudrais in view of Robertson does not disclose the hanger as being made of PVC or the specific hardness of the plastic. However, PVC is a known plastic and it would have been obvious to one of ordinary skill in the art at the time of the present invention to have used PVC of a particular hardness as a matter of engineering preference.

Claims 4-6, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coudrais in view of Robertson, and in further view of Applicant's disclosure. Coudrais in view of Robertson does not specifically disclose a recess with a cruciform cross section. However, Applicant discloses the shape of the recess as a matter of design preference (page 3, lines 13-15) that could be "round, square, triangular" as well. It would have been obvious to one of ordinary skill in the art at the time of the present invention to have utilized a recess with a cruciform cross section on

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the device taught by Coudrais in view of Robertson, as taught by Applicant's disclosure, as a matter of design preference.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 3,228,640 to Wolsh

U.S. Patent 4,597,140 to Girard

U.S. Patent 4,771,516 to Foth

U.S. Patent 5,380,326 to Lin

U.S. Patent 5,860,681 to Slais

U.S. Patent 5,441,224 to Ludwig

U.S. Patent 6,648,278 B1 to Kirschner

U.S. Patent 5,378,515 to Hatton

The above patents all disclose devices that can be suspended from lines.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Marsh whose telephone number is (703) 305-0098. The examiner can normally be reached on Monday-Friday from 8:00AM to 4:30 PM. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone

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number is (703) 308-2168 or (571) 272-3600. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

SM

Steven M. Marsh

March 20, 2005



LESLIE A. BRAUN  
SUPERVISORY PATENT EXAMINER